

pivot and remote from said other end.

5. (Amended) The apparatus set forth in claim [2] 1 wherein the valve actuator arm is spring biased upwardly by a [coil torsion] spring located [upon the pivot] adjacent the valve.

6. (Amended) The apparatus set forth in claim 5 wherein the actuator member is an actuator ring positioned upon a free end of said upright component, and wherein the [valve] upward motion of the valve actuator arm is limited and at its uppermost location positions [the] actuator ring in an inclined position to received a cooking utensil.

*contd  
a1*

Please add the following claims:

8. The apparatus set forth in claim 1 wherein said valve is positioned on a burner side of the pivot.

9. The method set forth in claim 7 including the step of inclining the actuator member by movement of the valve actuator arm to facilitate reception of the utensil.

*ad*

#### REMARKS

A clean copy of the claims is attached.

Claims 1-4 and 7 are rejected under 35 U.S.C.102(b) as being anticipated by Jones et al. (US #5,809,990)

Claim 1 has been amended to include the limitations of claim 2 directed to the upright component integral with the actuator arm extending upwardly through the burner. Jones, et al

discloses the use of a plunger 109 carried for movement at its lower end with respect to the valve actuator arm 110. This movement is a necessity to permit the plunger 109 to move vertically through the guide 105. An affidavit by George Steven Hampton, one of the inventors herein referencing a test establishing the inoperability of devices constructed in accordance with the Jones, et al patent is filed herewith. The provision of an upright component fixed with respect to the actuator arm extending upwardly through the burner together with positioning of the valve on the grill remote from the burner is important to the success of the applicants' invention. The savings of natural gas from the use of applicants' invention is important especially in view of the current shortage. Claims 6, 7, and 9 are directed to the positioning of the actuator member that is important to the invention and referenced in the affidavit.

*Applicants' claims are directed to an actuator arm extending above the burner whereas Jones, et al utilizes an actuator arm supporting a plunger extending above the burner.*

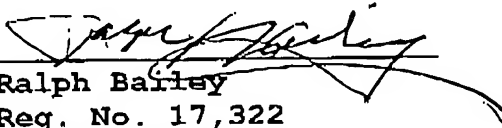
Claim 8 has been added, dependent on claim 1 and being directed to the positioning of the valve on a burner side of the pivot.

Claim 9, dependent on claim 7, is also added setting forth

the step of inclining the position of the actuator member to facilitate reception of the utensil.

Accordingly it is respectfully submitted that the above application is in condition for allowance and such action is respectfully requested.

Respectfully submitted,

  
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OUT-01  
RB/blt

June 30, 2003

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE: APPLICATION OF )  
THOMAS HOBSON OUTTEN )  
SERIAL NO. 10/036,572 ) EXAMINER JOSIAH C. COCKS  
FILED: FEBRUARY 22, 2002 ) GROUP ART NO. 3743  
FOR: ATTACHMENT FOR GAS GRILL )  
FOR AUTOMATIC BURNER )  
IGNITION AND METHOD )

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GROUP 3700

## Affidavit of George Steven Hampton

George Steven Hampton, one of the inventors herein makes this affidavit in support of the novelty of the subject matter of the application and shows the inoperability of the Jones, et al patent.

In a recent three day test of apparatus constructed in accordance with the present invention, the burner area, where the Jones et al, patent has the pin 109 and guide 105, became miserably fouled with burnt grease and food matter, while the apparatus of the invention including pivot were functionally clean and well within the operating temperature range necessary for dependable service.

Testing utilizing a commercial cooking pan (108) with the center of gravity being very near the handle's attachment to the pan limits possible use of a plunger contact to actuate the valve (115) while keeping the pan center on the burner (101). In actual use the plunger actuation of the Jones et al device would


likely place the handle in the flames due to the positioning of the utensil required to depress the pin without tipping. Applicants' actuator ring moves as a part of the actuator arm. The ring centers the cooking utensil over the burner. The ring as an extension of the arm increases the actuation area to its entire surface versus plunger contact of the Jones et al. The Examiner's statement combines the rod (109) and grate (107) as the actuator. In fact the grate (107) does not move as a part of the rod (109), therefore has no part in actuation. The grate (107) is a fixed part of the existing grill (see col. 2, lines 20-24 of Jones et al).

Further Affiant Sayeth Not.

  
George Steven Hampton

June 26, 2003

Sworn to and subscribed before me  
- this 26<sup>th</sup> day of June, 2003

 Brandy H. Ellis  
Notary Public for South Carolina

My Commission Expires July 19, 2012